

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 10-20403

vs.

HON. NANCY EDMUNDS

KWAME M. KILPATRICK,

Defendant.

_____ /

AMENDED STIPULATED ORDER TO PERMIT DEFENDANT
TO REVIEW DISCOVERY ON DVDs

This Court, having reviewed the stipulation herein below, being advised in this matter that the Defendant should be allowed to review the volumes of discovery materials provided to date, and for the reasons stated by the parties below:

1. Defendant is charged by way of a First Superseding Indictment of Racketeering Conspiracy, a violation of 18 USC 1962(d); Interference with Commerce by Extortion, a violation of 18 USC 1951; Bribery Concerning Programs Receiving Federal Funds, a violation of 18 USC 666(a); Mail and Wire Fraud, a violation of 18 USC 1341, 1343; Subscribing False Tax Return, a violation of 26 USC 7206; and Income Tax Evasion, a violation of 26 USC 7201.

2. During the course of this investigation, the FBI had intercepted thousands of wire communications alleged to have involved members of Mr. Kilpatrick's family and administration. In addition, the FBI has collected hundreds of thousands of text messages

alleged to be from Mr. Kilpatrick, members of his family and members of his administration while Mayor of the City of Detroit. It is believed that a number of these intercepted phone calls and text messages served as a basis for the Indictment of the Defendant.

3. The federal government has elicited testimony from hundreds of individuals in grand jury proceedings. Additionally, counsel for Defendant Kilpatrick has obtained over 200 FBI 302s from the Government. It is believed that the testimony in these grand jury hearings and FBI 302s served as a basis for the Indictment of the Defendant.

4. The Defendant has expressed to counsel that he is interested in listening to the phone calls, reviewing the text messages, reading the grand jury testimony and FBI 302s as he believes it will assist him in his defense. Counsel believes that his review of these calls will assist in the preparation of pretrial motions and for trial.

5. Counsel has burned all of the above materials onto approximately 24 DVD discs so that Mr. Kilpatrick may review them while he is detained.

IT IS HEREBY ORDERED that Defendant, Kwame Kilpatrick, be permitted to review all of the discovery materials provided by the Government.

IT IS FURTHER ORDERED that this discovery material be made available to the Defendant by DVD copies.

IT IS FURTHER ORDERED that regular access to the computer and hard drive be provided by the Warden or his designated officials at the Federal Detention Center at

Milan at such date and times and in accordance with such procedures that they deem appropriate under the circumstances.

s/ Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: January 26, 2011

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on Wednesday, January 26, 2011, electronic and/or ordinary mail.

s/ Carol A. Hemeyer
Case Manager

SO STIPULATED:

/s/ Michael Bullotta
MICHAEL BULLOTTA P33404
Assistant U.S. Attorney
20th Floor
211 W. Fort Street
Detroit, MI 48226
313-226-9703
michael.bullotta@usdoj.gov

/s/ James C. Thomas
JAMES C. THOMAS P23801
Attorney for Defendant
2500 Buhl Building
535 Griswold Street
Detroit, MI 48226
313-963-2420
jthomas@plunkettcooney.com

DATED: